

AMENDED IN ASSEMBLY APRIL 21, 2014

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

ASSEMBLY BILL

No. 2589

Introduced by Assembly Member Bloom

February 21, 2014

An act to add Section 12211.5 to the Business and Professions Code, relating to weights and measures.

LEGISLATIVE COUNSEL'S DIGEST

AB 2589, as amended, Bloom. Weights and measures: county sealers: county ordinance: annual registration fee.

Existing law governing weights and measures provides that there is in each county the office of county sealer, as defined, of weights and measures to administer those provisions, as specified. Existing law requires a county sealer to weigh and measure packages, containers, or amounts of commodities sold, or in the process of delivery, in order to determine whether they contain the quantity or amount represented and whether they are being sold in accordance with law.

In order to recover the *actual* costs of carrying out these provisions, this bill would authorize a *county* board of supervisors ~~of a county~~ to charge an annual registration fee, not to exceed ~~the county's total cost of actually weighing and measuring packages, containers, or amounts of commodities sold, or in the process of delivery, in order to determine whether they contain the quantity or amount represented and whether they are being sold in accordance with law~~ \$640. The bill would require any adopted registration fee to be imposed on a business location operating in the county that packs, imports, warehouses, or distributes more than 10,000 packages or containers per year that intends to sell or distribute for sale those packages or containers. ~~The bill would require~~

~~an ordinance imposing a registration fee~~ and to exempt any person or entity operating a business location at which both retail sales and commodity packing operations are conducted if the retail sales activities constitute the significant majority of its business operations.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 12211.5 is added to the Business and
2 Professions Code, to read:

3 12211.5. (a) ~~In order to recover the costs of carrying out~~
4 ~~Section 12211, the~~ The county board of supervisors, by ordinance,
5 may charge an annual registration fee, not to exceed the county's
6 ~~total cost of actually weighing and measuring packages, containers,~~
7 ~~or amounts of commodities sold, or in the process of delivery, in~~
8 ~~order to determine whether they contain the quantity or amount~~
9 ~~represented and whether they are being sold in accordance with~~
10 ~~law, six hundred forty dollars (\$640), in order to recover the~~
11 ~~county's actual costs of carrying out Section 12211.~~

12 (b) Any registration fee adopted pursuant to subdivision (a)
13 shall be charged to a business location operating in the county that
14 packs, imports, warehouses, or distributes more than 10,000
15 packages or containers per year that intends to sell or distribute
16 for sale those packages or containers.

17 (c) For purposes of this section, "business location" is defined
18 as a business location that packs, imports, warehouses, or
19 distributes one or more types of packaged goods or commodities.

20 (d) Any ordinance imposing a registration fee pursuant to
21 subdivision (a) shall exempt any person or entity operating a
22 business location at which both retail sales and commodity packing
23 operations are conducted if the retail sales activities constitute the
24 significant majority of its business operations.